

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

WILLIAM SKIDMORE

VS.

PRAKASH SAMPATH, M.D.

:
:
:
:
:
:

C.A. NO.:

JURY TRIAL DEMANDED

COMPLAINT

PARTIES

1. Plaintiff is a citizen of the State of Maine, and resides in East Millinocket, Maine.

2. Defendant, Prakash Sampath, M.D., is a physician licensed to practice medicine in the State of Rhode Island and, upon information and belief, is a citizen of the State of Rhode Island.

GENERAL ALLEGATIONS

3. On or about December 2007, the Plaintiff became a patient of the Defendant, having consulted Defendant in connection with an automobile accident that resulted in neck and back injuries.

4. On or about 2008 to 2012, the Defendant performed multiple surgeries on the Plaintiff whereas the Plaintiff went on to suffer severe complications.

5. In light of the foregoing, at the times material hereto, there existed a patient relationship between the Plaintiff and the Defendant.

6. In respect of the patient relationship described above, Defendant was under a duty to the Plaintiff to use the degree of care and skill that is expected of a Reasonably competent practitioner in the same class to which the Defendant belonged, acting in the same or similar circumstances, having due regard for the state of scientific knowledge at the time of treatment.

7. In late May of 2015, Plaintiff came under the care of Dr. Alan Daniels.

8. At or about that time, Plaintiff learned for the first time that the care rendered to him by Defendant was substandard.

COUNT I
PROFESSIONAL NEGLIGENCE PRAKISH SAMPATH M.D.
(MALPRACTICE)

10. The allegations set forth in paragraphs 1 through 8 above are incorporated herein as if set forth again in full.

11. Defendant breached the duty of care that he owed to Plaintiff, as aforesaid.

12. As a direct and proximate result of Defendant's breach as aforesaid, Plaintiff suffered severe and permanent personal injuries which have caused, and will continue to cause the expenditure of sums to cure, relieve, and rehabilitate him from the effects thereof; has suffered a loss of earnings and earning capacity; and has suffered severe mental and physical pain and suffering.

WHEREFORE, Plaintiffs demand judgment against Defendant in an amount which exceeds the jurisdictional requirements of this Court, together with interest and costs.

/S/ DAVID J. OLIVEIRA
DAVID J. OLIVEIRA, ESQ. (#2516)
155 South Main Street Suite 305
Providence, RI 02903
(401) 274-9191
(401) 274-9190 (fax)
Date: 04/25/18

Plaintiffs hereby demand a jury trial and designate David J. Oliveira as trial counsel.

DAVID J. OLIVEIRA, ESQ.